

STATEMENT OF BASIS (AI No. 42202)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0058441 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Lafitte Frozen Foods, Inc.
5165 Caroline Street
Lafitte, LA 70067

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Kelli Hamilton

DATE PREPARED: October 8, 2009

1. PERMIT STATUS

A. Reason For Permit Action:

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permit - LPDES permit effective date: July 1, 2004
LPDES permit expiration date: June 30, 2009
EPA has not retained enforcement authority.

C. Date Application Received: May 18, 2009

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY - shrimp processing facility

Lafitte Frozen Foods, Inc. is an existing shrimp processing facility, which sorts, peels, washes, de-veins, de-heads, and packages shrimp.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II (BPJ points to 0 as per administrative decision)
3. Wastewater Type: II
4. SIC code: 2092

C. LOCATION - 5165 Caroline Street in Lafitte, Jefferson Parish
Latitude 29°40'34", Longitude 90°06'21"

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3. OUTFALL INFORMATION

Outfall 001

Discharge Type: shrimp process wastewater
Treatment: screening
Location: at the point of discharge from the screen located behind the main shrimp processing area
Flow: 0.16 MGD
Discharge Route: Bayou Barataria

Outfall 002

Discharge Type: treated sanitary wastewater
Treatment: extended aeration, clarification, and chlorination
Location: at the point of discharge from the sanitary treatment system
Flow: 3,000 GPD
Discharge Route: Bayou Barataria

4. RECEIVING WATERS

STREAM - Bayou Barataria

BASIN AND SEGMENT - Barataria Basin, Segment 020802

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife

5. TMDL STATUS

Subsegment 020802, Bayou Barataria and Barataria Waterway-From ICWW to Bayou Rigolettes (Estuarine), is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDLs have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

6. CHANGES FROM PREVIOUS PERMIT

Loading limits in Outfall 001 have increased from the previous permit due to a increase in production. Monthly Average Limitations have been added to Outfall 002. Weekly Average Limitations for Outfall 002 have been changed to Daily Maximum Limitations.

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7. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

No records of recent compliance actions were found.

B. DMR Review/Excursions - A DMR review was completed for July 2007 through June 2009. The excursions are as follows:

DATE	PARAMETER	OUTFALL	REPORTED VALUE		PERMIT LIMITS	
			MONTHLY AVERAGE	DAILY MAX/ WEEKLY AVG	MONTHLY AVERAGE	DAILY MAX/ WEEKLY AVG
9/07	BOD	001	1592	1877	1250	3150
9/07	BOD	002	---	161	---	45
	TSS	002	---	76	---	45
	Fecal Coliform	002	---	60,000	---	400
6/08	Oil & Grease	001	629	2413	120	300
	BOD	002	---	120	---	45
	TSS	002	---	105	---	45
	Fecal Coliform	002	---	60,000	---	400
9/08	BOD	002	---	140	---	45
	TSS	002	---	111	---	45
	Fecal Coliform	002	---	60,000	---	400
12/08	BOD	002	---	55	---	45
	TSS	002	---	82	---	45
	Fecal Coliform	002	---	60,000	---	400
3/09	BOD	002	---	46	---	45

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8. EXISTING EFFLUENT LIMITS

Outfall 001 -		Outfall 002 -	
BOD	1250:3150 lbs/day	BOD	-:45 mg/l
TSS	750:1875 lbs/day	TSS	-:45 mg/l
Oil & Grease	120:300 lbs/day	Fecal Coliform	-:400
pH	6-9	pH	6-9

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 020802 of the Barataria Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

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Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

13. STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water shall not be required to obtain and LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 2092 are considered to have storm water discharges associated with industrial activity.

For first time permit issuance, the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. For renewal permit issuance, the SWP3 shall be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility. (see Narrative Requirements for the AI)

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Rationale for Lafitte Frozen Foods, Inc.

1. Outfall 001 shrimp process wastewater (estimated flow is 0.16MGD)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg:Daily Max (lbs/day)	<u>Reference</u>
Flow	Report:Report	LAC33.IX.2707.I.1.b
BOD ₅	2000:5040	See limits justification below
TSS	800:2000	See limits justification below
Oil & Grease	128:320	See limits justification below
pH (s.u.)	6.0:9.0 (min:max)	See limits justification below

Treatment: screening

Monitoring Frequency: weekly, per previous permit

Limits Justification: The Effluent Limit Guidelines from 40 CFR 408 Subpart L: Southern Non-Breaded Shrimp Processing in the Contiguous States (promulgated December 1, 1975) are applicable to this facility. The facility started operations in 1990; therefore, 40 CFR 408.125 applies.

Calculations:

BOD $25/63 \text{ lb}/1000 \text{ lb}$
 TSS $10/25 \text{ lb}/1000 \text{ lb}$
 Oil and Grease $1.6/4 \text{ lb}/1000 \text{ lb}$
 per application: 80,000lbs/day
 BOD $80 \times 25/63 = 2,000/5,040$
 TSS $80 \times 10/25 = 800/2,000$
 Oil and Grease $80 \times 1.6/4 = 128/320$

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2. Outfall 002 treated sanitary wastewater (estimated flow is 3,000gpd)

<u>Pollutant</u>	<u>Limitation</u>	<u>Reference</u>
	Mo. Avg:Daily Max (mg/l)	
Flow	Report:Report	LAC33.IX.2707.I.1.b
BOD ₅	30:45	See limits justification (1),(2) below
TSS	30:45	See limits justification (1),(2) below
Fecal Coliform	200:400	See limits justification (1),(2) below
pH (s.u.)	6.0:9.0 (min:max).	See limits justification (2) below

Treatment: extended aeration, clarification, and chlorination

Monitoring Frequency: quarterly, per previous permit

Limits Justification:

- 1) Sanitary wastewater regulated in accordance with LAC 33:IX.711 or LAC 33:IX.709.B - Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which expresses BOD₅ and TSS in terms of concentration.
- 2) BPJ utilizing the LPDES Class I Sanitary General Permit and previous permit.

BPJ Best Professional Judgement
 s.u. Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.